

DIST.	OFF.	YR.	DOCKET NUMBER	FILING DATE MO DAY YEAR	J	N/S	O	PTF	DEF	R 23	\$ DEMAND Nearest \$1,000	JUDGE/ MAG. NO.	COUNTY	JURY DEM.	DOCKET YR. NUMBER
425	2	83	2333	06 27 83	3	440	1				2400	2508 M	99999		83 2333

# PLAINTIFFS

ROSS UNIVERSITY SCHOOL OF MEDICINE,  
an educational institution chartered  
by the Government of Dominica,  
West Indies, and LOUIS M. PACKER, M.D.

# DEFENDANTS

WEST VIRGINIA BOARD OF MEDICINE, AND  
HOLROYD, FRANK J., M.D., WEEKS, HARRY  
S., Jr., M.D., HANSBERGER, L. CLARK,  
M.D., AHMED, M. JAMIL, M.D., BLANKENSHIP,  
Mrs. CLAUDE, BOWYER, RICHARD REV.,  
CATTERSON, ELAINE, M.D., GOW, ROBERT C.,  
M.D., GROVE, FRANCES S., HARTMAN, IRA F.  
II, M.D., HARWARD, THOMAS, MAY, BILL P.,  
D.P.M., SIMMINS, LEONARD, D.P.M., SKAGGS,  
JOSEPH, M.D., and YURKO, ANTHONY A., JR.,  
M.D., individually and in their capacities  
as members of the West Virginia Board of  
Medicine, and WEST VIRGINIA UNIVERSITY  
SCHOOL OF MEDICINE, its faculty, adminis-  
tration, employees, and agents

WEST VIRGINIA BOARD OF REGENTS, a corpora-  
tion (added as per amended complaint filed  
07/12/83)

# CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE  
IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

42 USC § 1983, 1985. Pltfs allege that Defts have failed to license a medical doctor.

# ATTORNEYS

Bernard Joseph Ferguson  
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Woodside, New York 11377  
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Assistant Attorney General  
Room 26-ESTate Capitol  
Charleston, WV 25305

☐ CHECK  
HERE  
IF CASE WAS  
FILED IN  
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# FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER
06/27/83	#6178	100933

# STATISTICAL CARDS

CARD	DATE MAILED
JS-5	
JS-6	

DATE	NR.	PROCEEDINGS	
1983			
Jun 27	1	COMPLAINT: issued summons + 17 copies, ret. 20 days.	slw
Jun 27	2	CERTIFICATE OF GOOD STANDING of Bernard Joseph Ferguson.	slw
Jun 30	3	MOTION by Pltfs for Preliminary Injunction, with notice and certificate of service attached.	ras
Jul 8	4	MOTION by Defts for Enlargement of Time, with certificate of service attached.	ras
Jul 12	5	AMENDED COMPLAINT.	ras
Jul 12	6	CERTIFICATE OF SERVICE in re Amended Complaint.	ras
Jul 12	7	MOTION by Pltfs for Preliminary Injunction, with notice and certificate of service attached.	ras
Jul 12	8	MOTION by Defts for Production, Inspection and Entry Onto the Premises, with certificate of service attached.	ras
Jul 15	9	MOTION by Defts for Enlargement of Time to Answer Amended Complaint, with certificate of service attached.	ras
Jul 20	10	MOTION by Deft (WV Board of Medicine) to Modify Subpoena Duces Tecum Directed to the Said Deft, with notice and certificate of service attached.	ras
Jul 26	11	MOTION by Deft (WV Board of Regents) to Modify Subpoena Duces Tecum Directed to the Said Deft, with notice and certificate of service attached.	ras
Jul 29	12	MEMORANDUM OF LAW by Defts in Opposition to Pltfs' Motion for Preliminary Injunction.	ras
Aug 2	13	RESPONSE by Pltfs to Defts' Motion to Modify Subpoena Duces Tecum Directed to WV Board of Medicine.	ras
Aug 4	14	REQUEST by Defts for Production of Documents.	ras
Aug 8	15	RESPONSE by Pltfs to Request for Production, Inspection and Entry Onto the Premises.	ras
Aug 8	16	MEMORANDUM OF LAW by Pltfs in Support of Motion to Quash Deft's Subpoena for the Production of Documents.	ras
Aug 8	17	MOTION by Pltfs to Quash Subpoena for Production of Documents.	ras
Aug 8	18	CERTIFICATE OF SERVICE.	ras
Aug 12	19	RESPONSE by Pltfs to Request for Production of Documents and Things for Inspection, Copying and Photographing.	ras
Aug 12	20	REQUEST by Pltfs for Production of Documents and THings for Inspection, Copying or Photographing.	ras
Aug 12	21	CERTIFICATE OF SERVICE.	ras
Aug 15	22	MOTION by Pltf (Ross University) to Quash Subpoena for the Production of Documents, with certificate of service attached.	ras
Aug 15	23	ANSWER of Defts to Amended Complaint.	ras
Aug 23	24	DEMAND by Defts for Jury Trial with certificate of service attached.	slw
Oct 3	25	ORDER(2508): Directing that document responsive to paragraph 9 of a subpoena duces tecum to the WV Board of Medicine be received and held by the court for its <u>in camera</u> inspection. (EOD 10/04/83). cc: atys.	slw
Oct 3	26	ORDER(2508): (1) continuing hearing for a pre. injunc. to 11/08/83; (2) pltfs shall file a response to defts' memo in opposition to pltfs' motion for a pre. injunc. on or before 10/7/83 with a reply thereto before 10/14/83; SEE PAGE TWO (2)	

DC 111A  
(Rev. 1/75)

## CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-4398

PLAINTIFF		DEFENDANT	DOCKET NO. <u>83-2333</u>
ROSS UNIVERSITY SCHOOL OF MEDICINE		WV BOARD OF MEDICINE, et al	PAGE <u>2</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1983</u>			
Oct 3	26	continued....(3) discovery pertinent to pltfs' motion for a pre. injunc. shall be completed on or before 10/25/83; (4) parties shall submit a proposed pre-hearing order on or before 10/21/83. (EOD 10/04/83). cc: atys. slw	
Oct 4	27	NOTICE to take Depositions & Production of Documents of; Louis M. Packer, M.D., Robert Ross and James E. Cassidy. reb	
Oct 4	28	DEFT 1st NOTICE of Motion & Motion to Compel. reb	
Oct 11	29	MOTION by Pltfs to Exclude Persons from Taking of Deposition and That Deposition Be Kept Sealed. ras	
Oct 11	30	MOTION by Pltfs for Order That Deposition Not Be Taken. ras	
Oct 11	31	NOTICE to Take Deposition of Frank J. Holroyd, M.D. ras	
Oct 11	32	NOTICE to Take Deposition of Betty Kirkwood. ras	
Oct 11	33	NOTICE to Take Deposition of Nancy Clay. ras	
Oct 11	34	NOTICE to Take Deposition of Dr. Jones. ras	
Oct 11	35	AFFIDAVIT of Bernard Joseph Ferguson in Opposition to Defts' Motion to Compel Production of Documents. ras	
Oct 11	36	AFFIDAVIT of James Cassidy in Support of Motion for Order That Deposition Not Be Taken. ras	
Oct 11	37	CERTIFICATE OF SERVICE. ras	
Oct 14	38	REPLY by Defts to Pltfs' Memorandum of Law. ras	
Oct 24	39	ORDER (2508): Granting defts' motion to compel production, with exceptions; deferring ruling on motion by deft (Board of Medicine) to modify subpoena duces tecum; withdrawing motion by deft (Board of Regent) to modify subpoena duces tecum; denying pltfs' motion for order that deposition of Robert Ross not be taken; denying pltfs' motion to exclude persons from taking of deposition and that deposition be kept sealed. (EOD 10/26/83) cc: atys ras	
Oct 28	40	ORDER (2508): Dismissing action with prejudice; each party to bear own costs; striking action from the docket of the court. (EOD 10/31/83) cc: atys ras	
<u>CLOSED</u>			
Apr 04	41	COURTREPORTER'S NOTES of 10/14/83 (Steinke). ras	